

REMARKS

The Advisory Action dated October 12, 2004 has been received and considered by the Applicants. Claims 1-3 and 5-17 are pending in the present application for invention. Claims 1-3 and 5-13 are allowed. Claims 14, 15 and 17 remain rejected by the Advisory Action dated October 12, 2004.

Claim 14 is rejected under the provision so of 35 §U.S.C. 102(b) as being anticipated by EP 0 745 980 (hereinafter referred to as Ohsato). The Examiner's position is that Ohsato discloses the subject matter defined by rejected Claim 14 for at least one of the electrode layers having a center of symmetry that is displaced from a center of symmetry of the modifier as a whole. The rationale expressed by the Examiner is that the centers of symmetry for the electrode layers taught by Ohsato are not in the optical center of the radiation beam but in the plane of the respective electrode layers, therefore, the centers of symmetry of the electrode layers are displaced in the direction of the optical axis from the center of symmetry of the modifier as a whole. The Applicants, respectfully, point out that for the modifier to have a center of symmetry, the parts of the modifier surrounding the center of symmetry must be symmetrical. The Examiner has, apparently, chosen as the center of symmetry the center of the modifier shown in Fig. 3. The Examiner states that the centers of symmetry for the electrode layers are displaced along the optical axis from that which the Examiner states is the center of symmetry as a whole. The Applicants, respectfully, point out that the point the Examiner refers to is not the center of symmetry for the modifier taught by Ohsato for the simple reason that the modifier is not symmetrical about that point. Accordingly, in an effort to move this case towards allowance, Claim 14 had been amended to recite that at least one of the layers has a center of symmetry that is displaced from an optical center of the radiation beam in order to clearly distinguish the present invention as recited by rejected Claim 14 from the teachings of Ohsato. The Applicants, respectfully, submit that at least one of the electrode layers having a center of symmetry that is displaced from an optical center of the radiation beam not taught, or suggested, by Ohsato. Therefore, Claim 14 as amended is believed to be allowable.

Claims 15 is rejected under the provision so of 35 §U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,625,102 issued in the name of Hashimoto (hereinafter referred to as

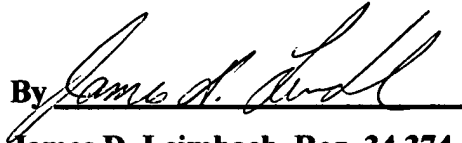
Hashimoto). The Examiner states that Hashimoto discloses the elements of the rejected claims including the electrodes being arranged around a center of symmetry and the width of the electrodes decreasing with increasing distance from the center distance from the center. The Applicants, respectfully point out that Fig. 17 of Hashimoto illustrates electrodes arranged in a concentric manner, however, there is no disclosure or suggestion that these electrodes are arranged around the center of symmetry of the modifier shown therein. In an effort to move this case towards allowance, Claim 15 has been amended to recite that “the electrodes being electrically connected to a series arrangement of resistors with the series arrangement of resistors integrated within the electrodes”, to clearly distinguish the invention as defined by amended Claim 15 from the teachings of Hashimoto. Accordingly, amended Claim 15 is believed to be allowable.

Claim 17 is rejected under the provision so of 35 §U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,495,461 issued in the name of Komma et al. (hereinafter referred to as Komma et al.). The Examiner’s position is that Fig. 4 of Komma et al. discloses that a difference between a maximum value taken by the aberration function in the area occupied by an electrode and a minimum value taken by the aberration function in the area occupied by that electrode is substantially equal for all electrodes of the wavefront modifier. The Applicants, respectfully disagree. Fig. 4 of Komma et al. discloses experimental results of diffraction efficiencies measured by supplying a linearly polarized laser beam into a manufactured liquid crystal hologram having an AC voltage applied. There is no discussion within Komma et al. related to maximum and minimum values of aberration functions, nor is there any mention of aberration function in the areas occupied by the electrodes. Claim 17 has been amended to recite that “the electrodes are electrically connected in a series arrangement of resistors with the series arrangement of resistors integrated within the electrodes”, to clearly distinguish the invention as defined by amended Claim 15 from the teaching of Komma et al. Accordingly, amended Claim 17 is believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicants believe that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

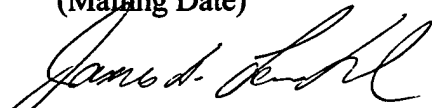
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on: November 3, 2004

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